

REMARKS

Claims 1-45 remain in the application for consideration. In view of the following remarks, Applicant traverses the Office's rejections and respectfully requests that the application be forwarded on to issuance.

§ 103 Rejections

Claims 1-4, 7-10, 13-16 and 18-19 stand rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent Publication No. 2003/0204814A1 to Elo et al. (hereinafter "Elo") in view of U.S. Patent Publication No. 2001/0056429A1 to Moore et al. (hereinafter "Moore").

Claims 11-12, 20-21 and 23-26 stand rejected under 35 U.S.C. § 103(a) as being obvious over Elo in view of Moore and further in view of U.S. Patent Publication No. 2003/0051243A1 to Lemmons et al. (hereinafter "Lemmons").

Claims 5-6, 17, 22, 27-31, 33-35 and 37-45 stand rejected under 35 U.S.C. § 103(a) as being obvious over Elo in view of Moore and further in view of U.S. Patent Publication No. 2004/0205473A1 to Fisher et al. (hereinafter "Fisher").

Claims 32 and 36 stand rejected under 35 U.S.C. § 103(a) as being obvious over Elo in view of Moore in further view of Fisher and still further in view of U.S. Patent Publication No. 2002/0026461A1 to Kutay et al. (hereinafter "Kutay").

The Claims

Claim 1 recites a method of providing a user interface (UI) comprising:

- rendering a DHTML document from an XML document using at least one XSLT transformation (XSL-T); and

- presenting a user interface based, at least in part, on the XSL-T that was used to render the DHTML document.

In making out the rejection of this claim, the Office argues that its subject matter is obvious over Elo in view of Moore. Applicant respectfully disagrees and submits that the Office has failed to establish a *prima facie* case of obviousness for at least the reason that the combination of Elo and Moore fails to provide all of this claim's features.

The Office admits that Elo does not explicitly teach using at least one XSLT transformation (XSL-T) and presenting a user interface based, at least in part, on the XSL-T that was used to render a DHTML document. Applicant agrees. However, the Office then argues that this feature of claim 1 is taught by Moore. Applicant respectfully disagrees and submits that this feature of claim 1 is neither disclosed nor suggested by Moore.

Specifically, the Office cites to paragraph 291 of Moore as disclosing this feature of claim 1. While this paragraph does contain the terms "XSLT" and "DHTML", nowhere does it disclose or even suggest a *user interface* that is based, at least in part, on the XSL-T that was used to render a DHTML document. This section of Moore merely describes that the presentation mechanism (e.g. XSLT) should be able to *map a representation* of a collection or a data object into a presentation language such as HTML (or, alternatively, DHTML). In point of fact, a keyword search of Moore conducted by Applicant failed to locate the term "user interface" anywhere within Moore. The reason for this is self-evident – Moore neither discloses nor suggests the subject matter that the Office argues it does.

1 Because the combination of Elo and Moore fails to teach every element of
2 claim 1, the Office has failed to establish a *prima facie* case of obviousness and
3 this claim is allowable.

4 **Claims 2-9** depend from claim 1 and thus are allowable as depending from
5 an allowable base claim. These claims are also allowable for their own recited
6 features which, in combination with those recited in claim 1, are neither disclosed
7 nor suggested by the reference of record. In addition, to the extent that claim 1 is
8 allowable, the further rejection of claims 5 and 6 over Elo in view of Moore and in
9 further view of Fisher is not seen to add anything of significance.

10 **Claim 10** recites a method of providing a user interface comprising:

- 11 • considering multiple parameters one of which includes an XSL-T
- 12 file; and
- 13 • based upon the considered parameters, rendering a user interface
- 14 sufficient to enable a user to interact with a DHTML view that has
- 15 been rendered by the XSL-T file from an XML document.

16 In making out the rejection of this claim, the Office argues that its subject
17 matter is obvious over Elo in view of Moore. Applicant respectfully disagrees and
18 submits that the Office has failed to establish a *prima facie* case of obviousness
19 since the combination of Elo and Moore fails to provide all of this claim's
20 features.

21 Specifically, the Office argues that the combination of Elo and Moore
22 discloses the feature of considering multiple parameters, one of which includes an
23 XSL-T file, and based upon the considered parameters, rendering a user interface.
24 The Office does not offer any additional rationale to support the argument that this
25 feature is disclosed by the combination of record, but merely refers Applicant to

1 the arguments presented for claim 1. However, nowhere in its claim 1 arguments
2 does the Office establish that this feature is disclosed or suggested by the cited
3 references. As discussed above, Moore discloses the possibility of using XSLT to
4 *map a representation* of a collection or a data object into a presentation language
5 such as HTML (or, alternatively, DHTML). However, Moore does not disclose or
6 suggest the feature of considering multiple parameters, one of which includes an
7 XSL-T file, and based upon the considered parameters, *rendering a user*
8 *interface*. As further mentioned above, a keyword search of Moore indicates that
9 the term “user interface” is not even present in Moore’s disclosure.

10 Accordingly, the combination of Elo and Moore fails to teach every
11 element of claim 10, and thus the Office has failed to establish a *prima facie* case
12 of obviousness. Claim 10 is therefore allowable.

13 **Claims 11-19** depend from claim 10 and thus are allowable as depending
14 from an allowable base claim. These claims are also allowable for their own
15 recited features which, in combination with those recited in claim 10, are neither
16 disclosed nor suggested by the reference of record. In addition, to the extent that
17 claim 10 is allowable, the further rejection of claims 11-12 over Elo in view of
18 Moore and in further view of Lemmons is not seen to add anything of
19 significance. Finally, to the extent that claim 10 is allowable, the further rejection
20 of claim 17 over Elo in view of Moore and in further view of Fisher is not seen to
21 add anything of significance.

22 **Claim 20** recites a method of providing a user interface comprising:

- 23
- 24 • making a selection in a DHTML view;
 - 25 • determining, based upon the selection, a corresponding selection
in an XML document;

- determining, based upon the corresponding selection in the XML document, a corresponding portion of an XML schema;
- determining, based upon the XML schema portion, one or more types of action that can be undertaken;
- producing one or more operations that can be undertaken for various determined action types; and
- determining, from an XSL-T file that rendered the DHTML view, a user interface type that can be displayed for a user and used to implement the one or more operations.

In making out the rejection of this claim, the Office argues that its subject matter is obvious over Elo in view of Moore and further in view of Lemmons. Applicant respectfully disagrees and submits that the Office has failed to establish a *prima facie* case of obviousness since the combination of Elo, Moore and Lemmons fails to provide all of this claim's features.

First, the Office refers back to its arguments for claims 1 and 10 in arguing that the combined references disclose the features of *a method of providing a user interface comprising making a selection in a DHTML view and determining, based upon the selection, a corresponding selection in an XML document*. However, nowhere in these arguments does the Office even attempt to address these features of claim 20. Accordingly, the Applicant is left to search the cited references in an attempt to locate these particular features. After a thorough search of Elo, Moore and Lemmons, Applicant respectfully submits that these references neither disclose nor suggest these features of claim 20.

Next, the Office admits that neither Elo nor Moore explicitly teach the features of:

- determining, based upon the corresponding selection in the XML document, a corresponding portion of an XML schema;

- determining, based upon the XML schema portion, one or more types of action that can be undertaken; [and]
- producing one or more operations that can be undertaken for various determined action types....

Applicant agrees. However, the Office then argues that Lemmons discloses these features of claim 20. Applicant respectfully disagrees and submits that these features of claim 20 are neither disclosed nor suggested by Lemmons.

In arguing that these features are disclosed by Lemmons, the Office cites to Lemmons at page 1, paragraph 13, through page 4, paragraph 44. Applicant will provide excerpts from all of the paragraphs within this section of Lemmons that provide any discussion of XML (emphasis added):

For example, the markup language document may contain HyperText Markup Language (HTML), Dynamic HyperText Markup language (DHTML), or Extensible Markup Language (*XML*) code. The program guide is programmed to interpret the markup language documents and generate the display screens and provide program guide functionality according to the documents. (Paragraph 13).

The program guide data transmitted by main facility 12 to television distribution facility 16 includes television program listings data (e.g., program times, channels, titles, and descriptions) and other program listings information for additional services other than television program listings (e.g., weather information, associated Internet web links, computer software, etc.). It may also contain markup language documents such as HyperText Markup Language (HTML), Dynamic HyperText Markup Language (DHTML), or Extensible Markup Language (*XML*) documents, for updating the display screen layouts and functionality of a program guide without user intervention. (Paragraph 25).

The markup language documents may include the code of any suitable markup language or system of marking up, or tagging, a document (e.g., text file) so that the document arranges user display screen layout and styling and indicates program guide functionality. For example, the markup

1 language document may contain HTML, DHTML, or *XML* code.
2 (Paragraph 26).

3 Program guide functions may be indicated and selected using the markup
4 language documents. Preferably, the markup language used is a
5 standardized and widely accepted markup language, such as HTML,
6 DHTML, or *XML*. (Paragraph 44).

7 Notably absent from these sections, and indeed from the entirety of
8 Lemmons, is any discussion of an XML *schema*, particularly as such is recited in
9 this claim. Accordingly, Lemmons neither discloses nor suggests determining,
10 based upon the corresponding selection in the XML document, a corresponding
11 portion of an *XML schema*.

12 Further, it is virtually impossible for Lemmons to disclose or suggest the
13 feature of determining, based upon the XML schema portion, one or more types of
14 action that can be undertaken, since this feature presumes the presence of an XML
15 schema in order to determine the action types that can be undertaken and, as
16 pointed out above, Lemmons discloses no such feature.

17 Finally, it is virtually impossible for Lemmons to disclose or suggest the
18 feature of producing one or more operations that can be undertaken for various
19 determined action types, since the determination of action types presumes the
20 presence of an XML schema as recited in this claim, which, as pointed out above
21 is entirely missing from Lemmons.

22 Accordingly, the combination of Elo, Moore and Lemmons fails to teach
23 every element of claim 20, and thus the Office has failed to establish a *prima facie*
24 case of obviousness. Claim 20 is therefore allowable.
25

1 **Claims 21-26** depend from claim 20 and thus are allowable as depending
2 from an allowable base claim. These claims are also allowable for their own
3 recited features which, in combination with those recited in claim 20, are neither
4 disclosed nor suggested by the reference of record. In addition, to the extent that
5 claim 20 is allowable, the further rejection of claim 22 over Elo in view of Moore
6 and in further view of Fisher is not seen to add anything of significance.

7 **Claim 27** recites a method of manipulating an XML document comprising:

- 8
- 9 • defining one or more crystals, each of which containing one or more
10 behaviors and an XSLT transformation for transforming an XML
11 document into a DHTML view;
 - 12 • using the one or more crystals to render a DHTML view from an
13 XML document;
 - 14 • enabling user interaction with the DHTML view; and
 - 15 • mapping, via the one or more behaviors, user interactions in the
16 DHTML view to the XML document.

17 In making out the rejection of this claim, the Office argues that its subject
18 matter is obvious over Elo in view of Moore and further in view of Fisher.
19 Applicant respectfully disagrees and submits that the Office has failed to establish
20 a *prima facie* case of obviousness since the combination of Elo, Moore and Fisher
21 fails to provide all of this claim's features.

22 Applicant agrees with the Office's admission that Elo, Moore and
23 Lemmons do not explicitly teach the feature of defining one or more crystals, each
24 of which containing one or more behaviors and an XSLT transformation for
25 transforming an XML document into a DHTML view. However, Applicant
respectfully disagrees with the Office's assertion that Fisher teaches this feature of
claim 27.

1 Specifically, Applicant disagrees with the Office's argument that the one or
2 more crystals recited in claim 27 are an obvious variant of Fisher's navbar e-clip.

3 In order to further clarify the difference between Applicant's crystals and
4 Fisher's navbar e-clip, Applicant will provide below excerpts from Fisher which
5 define navbar e-clips and describe their purpose:

6
7 Furthermore, the *navbar e-clip* gathers data from one or more data sources.
(Paragraph 290).

8
9 The *navbar e-clip* enriches data in order to more fully describe the
10 rendition and behavior associated with the data in the context of the portal.
11 This includes the assignment of icons and custom URLs to nodes in the tree
12 of known types. The *navbar e-clip* organizes all the data it has gathered
into a single hierarchy and presents the hierarchy as an HTML document.
(Paragraph 291).

13 The *navbar e-clip* can operate with large quantities of data. It does not
14 assume that it will be able to retrieve all available data with a single
15 request. (Paragraph 292).

16 A *navbar e-clip* 1502 operates in a multi-tiered environment. Data is
17 obtained from interfaces provided by back-end applications 1504, which
18 are, themselves, multi-tiered applications. A browser 1506 serves as a client
and interacts with the *navbar e-clip* by requesting a content page....
(Paragraph 295).

19
20 The *navbar e-clip* 1502 is included in the content page 1508. When the
21 content manager interprets the page 1508, the *navbar e-clip* is invoked to
generate a navigation bar. (Paragraph 296).

22 The *navbar e-clip* 1600 comprises a navbar component 1602 and a
23 TreeRendition component.... (Paragraph 300).

24 The desire to define rendition and behavior at the portal level motivates the
25 *navbar e-clip's* data enrichment. (Paragraph 313).

1
2 As is made apparent by the excerpts above, Fisher's navbar e-clip does not
3 contain one or more behaviors *and* an XSLT transformation for transforming an
4 XML document into a DHTML view. Nowhere is this feature mentioned or even
5 remotely hinted at. The reason for this is self-evident—Fisher neither discloses
6 nor suggests any such subject matter. Accordingly, for at least this reason, this
7 claim is allowable.

8 The Office then refers Applicant to the arguments rejecting claims 1 and 20
9 for the rejection of the remaining features of claim 27. However, nowhere in any
10 of these arguments does the Office even address the feature of *using the one or*
11 *more crystals to render a DHTML view from an XML document*. A thorough
12 examination of the cited references indicates that this feature is neither disclosed
13 nor suggested by the references of record.

14 Accordingly, the combination of Elo, Moore and Fisher fails to teach every
15 element of claim 27, and thus the Office has failed to establish a *prima facie* case
16 of obviousness. Claim 27 is therefore allowable.

17 **Claims 28-34** depend from claim 27 and thus are allowable as depending
18 from an allowable base claim. These claims are also allowable for their own
19 recited features which, in combination with those recited in claim 27, are neither
20 disclosed nor suggested by the reference of record. In addition, to the extent that
21 claim 27 is allowable, the further rejection of claim 32 over Elo in view of Moore
22 and in further view of Fisher and still further in view of Kutay is not seen to add
23 anything of significance.
24
25

1 **Claim 35** recites one or more computer-readable media having computer-
2 readable instructions thereon which, when executed by a computer, cause the
3 computer to:

- 4 • provide multiple crystals, each of which containing one or more
5 behaviors and an XSLT transformation for transforming an XML
6 document into a DHTML view;
- 7 • use one or more of the crystals to render a DHTML view from an
8 XML document;
- 9 • attach at least one behavior to at least one DHTML tag;
- 10 • ascertain that a user has interacted with a DHTML view associated
11 with the at least one DHTML tag; and
- 12 • use the behavior associated with the at least one DHTML tag to map
13 a user interaction back to the XML document and make associated
14 structural changes in the XML document.

15 In making out the rejection of this claim, the Office argues that its subject
16 matter is obvious over Elo in view of Moore and further in view of Fisher.
17 Applicant respectfully disagrees and submits that the Office has failed to establish
18 a *prima facie* case of obviousness since the combination of Elo, Moore and Fisher
19 fails to provide all of this claim's features.

20 As explained above, this combination of references fails to disclose or
21 suggest the feature of multiple crystals, each of which containing one or more
22 behaviors and an XSLT transformation for transforming an XML document into a
23 DHTML view. Further, the Office does not even address the claim feature of
24 using one or more of the crystals to render a DHTML view from an XML
25 document.

1 Accordingly, the combination of Elo, Moore and Fisher fails to teach every
2 element of claim 35, and thus the Office has failed to establish a *prima facie* case
3 of obviousness. Claim 35 is therefore allowable.

4 **Claims 36-38** depend from claim 35 and thus are allowable as depending
5 from an allowable base claim. These claims are also allowable for their own
6 recited features which, in combination with those recited in claim 35, are neither
7 disclosed nor suggested by the reference of record. In addition, to the extent that
8 claim 35 is allowable, the further rejection of claim 36 over Elo in view of Moore
9 and in further view of Fisher and still further in view of Kutay is not seen to add
10 anything of significance.

11 **Claim 39** recites a method of manipulating an XML document comprising:

- 12 • associating one or more behaviors with a DHTML tag in a DHTML
13 view that has been rendered from an XML document; and
- 14 • responsive to a user interacting with a DHTML view associated with
15 the DHTML tag, using the one or more behaviors to map user
16 interactions to the XML document and effect structural changes on
17 the XML document.

18 In making out the rejection of this claim, the Office argues that its subject
19 matter is obvious over Elo in view of Moore and further in view of Fisher.
20 Applicant respectfully disagrees and submits that the Office has failed to establish
21 a *prima facie* case of obviousness since the combination of Elo, Moore and Fisher
22 fails to provide all of this claim's features.

23 Specifically, the Office directs Applicant to the rejections stated for claims
24 1, 20 and 27 for the rejections applicable to this claim. However, nowhere in
25 those stated rejections or in the arguments rejecting claim 39 does the Office even

1 address the feature of responsive to a user interacting with a DHTML view
2 associated with the DHTML tag, *using one or more behaviors to map user*
3 *interactions to the XML document and effect structural changes on the XML*
4 *document*. Thus, the Applicant is left to search the cited references for this feature
5 of claim 39. After a thorough search of the cited references, Applicant failed to
6 find any disclosure or suggestion of this feature.

7 Accordingly, the combination of Elo, Moore and Fisher fails to teach every
8 element of claim 39, and thus the Office has failed to establish a *prima facie* case
9 of obviousness. Claim 39 is therefore allowable.

10 **Claims 40-44** depend from claim 39 and thus are allowable as depending
11 from an allowable base claim. These claims are also allowable for their own
12 recited features which, in combination with those recited in claim 39, are neither
13 disclosed nor suggested by the reference of record.

14 **Claim 45** recites:

15
16 A software structure embodied on a computer-readable medium comprising
17 one or more crystals, each of which containing at least one behavior and
18 XSL-T for rendering XML into DHTML, the behaviors being data shape
19 dependent and being configured for use with common data shapes
20 independent of any XML schema.

21 In making out the rejection of this claim, the Office argues that its subject
22 matter is obvious over Elo in view of Moore and further in view of Fisher.
23 Applicant respectfully disagrees and submits that the Office has failed to establish
24 a *prima facie* case of obviousness since the combination of Elo, Moore and Fisher
25 fails to provide all of this claim's features.

1 Specifically, the Office depends on the rejections for claims 1, 40 and 42
2 for the rejection of the present claim. However, as explained above, this
3 combination of references neither discloses nor suggests one or more crystals,
4 each of which containing at least one behavior and XSL-T for rendering XML into
5 DHTML. Further, a careful search of the cited references fails to discover any
6 mention of *data shapes*, much less *common data shapes independent of any*
7 *XML schema*.


8 Accordingly, the combination of Elo, Moore and Fisher fails to teach every
9 element of claim 45, and thus the Office has failed to establish a *prima facie* case
10 of obviousness. Claim 45 is therefore allowable.

11
12 **Conclusion**

13 All of the claims are in condition for allowance. Accordingly, Applicant
14 requests a Notice of Allowability be issued forthwith. If the Office's next
15 anticipated action is to be anything other than issuance of a Notice of Allowability,
16 Applicant respectfully requests a telephone call for the purpose of discussing an
17 appeal.

18
19 Respectfully Submitted,

20
21 Dated: 2/22/02

22 By: 
23 Lance R. Sadler
24 Reg. No. 38,605
25 (509) 324-9256